

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

MARVIN JUNIUS SIMMONS,	:	
Plaintiff	:	
vs.	:	CIVIL NO. 1:CV-10-0772
	:	(Judge Caldwell)
JANINE DONATE,	:	(Magistrate Judge Blewitt)
Defendant	:	

O R D E R

AND NOW, this 16th day of May, 2011, upon consideration of the report and recommendation of the magistrate judge (doc. 27), filed April 15, 2011, to which no objections were filed, and upon independent review of the record, it is ordered that :

1. The magistrate judge's report is adopted.
2. Defendant's motion for summary judgment (doc. 22) is granted. The Clerk of Court shall enter judgment in favor of the defendant and against the plaintiff.
3. The Clerk of Court shall close this file.

/s/William W. Caldwell
William W. Caldwell
United States District Judge